



# Department of Justice

FOR IMMEDIATE RELEASE  
THURSDAY, DECEMBER 18, 1997

AT  
(202) 514-2008  
TDD (202) 514-1888

## **NEBRASKA MAN CHARGED IN SCHEME TO RIG BIDS ON CATTLE PURCHASES**

A federal grand jury late yesterday indicted a Nebraska man for conspiring to rig a bid for the purchase of cattle and for committing mail fraud, the Justice Department announced.

The three-count indictment, filed last night in U.S. District Court in Nebraska, charges Casey Wilmot of Mitchell, Nebraska, with conspiring to rig a bid for the purchase of cattle. It asserts that Wilmot conspired with other cattle purchasers to submit bids to a rancher lower than the market price. Wilmot also allegedly conspired to defraud his corporate cattle buyer by selling the cattle to it at a higher price than it would otherwise have to pay. Wilmot is a former buyer for Excel, the corporation he allegedly conspired to defraud. Earlier this week, another individual was charged with and pled guilty to one count of bid rigging as part of an agreement with the United States in this investigation.

The bid was submitted to a rancher in Western Nebraska. After purchase, the cattle were sold to Excel Corporation and shipped to Colorado for slaughter.

The Department said that the bid-rigging conspiracy and mail-fraud scheme occurred in August and September of 1995. The indictment charges that, in order to carry out the bid-rigging conspiracy, the defendant and his co-conspirators discussed the

prospective submission of a bid for the cattle, agreed on the bid price to be submitted, and agreed upon and designated the winning bidder.

"Schemes like this hurt the hardworking ranchers who earn less money for the cattle they sell, meat packers who must pay higher prices for the cattle they buy, and consumers who have to pay higher prices for meat," said Joel I Klein, Assistant Attorney General in charge of the Justice Department's Antitrust Division. "This indictment should send a strong signal that illegal anticompetitive conduct in this important sector of our economy will be fully prosecuted."

The investigation was conducted by the Chicago Office of the Antitrust Division in conjunction with the Grain Inspection, Packers and Stockyards Administration of the United States Department of Agriculture. "This prosecution is a benefit of the close working relationship we have developed with the USDA in recent years to closely monitor the meatpacking industry," Klein said. Assistance was also provided by the Federal Bureau of Investigation's office in North Platte, Nebraska, the U.S. Attorney's Office in Omaha, Nebraska, and the State of Nebraska Brand Committee.

Wilmot was charged with mail fraud and violating Section One of the Sherman Act, which outlaws any combination or conspiracy that would unreasonably restrain trade and commerce.

The maximum penalty for an individual convicted under the Sherman Act is three years' incarceration and a fine which is the greatest of \$350,000, twice the pecuniary gain derived from the

crime, or twice the pecuniary loss caused to the victims of the crime. The maximum penalty for an individual convicted of mail fraud is five years' incarceration and a fine which is the greatest of \$250,000, twice the pecuniary gain derived from the crime or twice the pecuniary loss caused to the victims of the crime.

###

97-543